

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

April 12, 2004

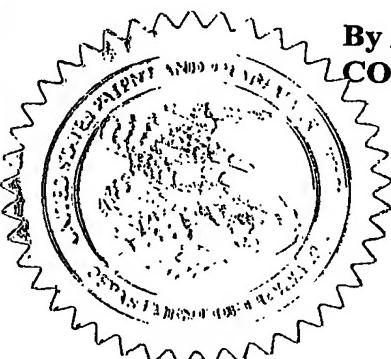
THIS IS TO CERTIFY THAT ANNEXED HERETO IS A TRUE COPY FROM  
THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK  
OFFICE OF THOSE PAPERS OF THE BELOW IDENTIFIED PATENT  
APPLICATION THAT MET THE REQUIREMENTS TO BE GRANTED A  
FILING DATE.

APPLICATION NUMBER: 60/438,242

FILING DATE: January 06, 2003

RELATED PCT APPLICATION NUMBER: PCT/US04/00194

By Authority of the  
COMMISSIONER OF PATENTS AND TRADEMARKS

  
*W. Montgomery*  
W. MONTGOMERY  
Certifying Officer

BEST AVAILABLE COPY

01-07-05

01/06/03

FRISHAUF, HOLTZ, GOODMAN &amp; CHICK, P.C.

ATTORNEYS AT LAW

767 THIRD AVENUE, NEW YORK, N.Y. 10017-2023

LEONARD HOLTZ  
 HERBERT GOODMAN  
 WILLIAM R. WOODWARD (1914-1994)  
 THOMAS LANGER  
 MARSHALL J. CHICK  
 RICHARD S. BARTH  
 DOUGLAS HOLTZ  
 ROBERT P. MICHAL  
 TELEPHONE: (212) 319-4900  
 FAXSIMILE: (212) 319-5101

Hon. Commissioner of Patents & Trademarks  
 Washington, D.C. 20231

Express Mail Mailing Label  
 No.: EV 250 005 845 US

Date of Deposit: January 6, 2003

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231

*S. Dianne Franklin*  
 S. Dianne Franklin

Attorney Docket No. 02762/LH

PTO/SB/16 (10-01)

Approved for use through 10/31/2002 OMB 0651-0032  
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

### PROVISIONAL APPLICATION FOR PATENT COVER SHEET

This is a request for filing a PROVISIONAL APPLICATION FOR PATENT under 37 CFR 1.53(e).

Express Mail Label No. \_\_\_\_\_

#### INVENTOR(S)

Given Name (first and middle [if any])	Family Name or Surname	Residence (City and either State or Foreign Country)
David M.	STRAVITZ	New York, NY, U.S.A.

Additional inventors are being named on the \_\_\_\_\_ separately numbered sheets attached hereto

TITLE OF THE INVENTION (500 characters max)

ALL PURPOSE POWDER DISPENSER

Direct all correspondence to:

Customer Number

01933

CORRESPONDENCE ADDRESS

OR

Type Customer Number here

01933  
PATENT TRADEMARK OFFICE

Firm or Individual Name

FRISHAUF, HOLTZ, GOODMAN & CHICK, P.C.

Address

767 Third Avenue - 25th Floor

Address

City

New York

State

NY

ZIP

10017-2023

Country

U.S.A.

Telephone

212-319-4900

Fax

212-319-5101

ENCLOSED APPLICATION PARTS (check all that apply)

Specification Number of Pages

10

CD(s), Number

Drawing(s) Number of Sheets

11

Other (specify)

Application Data Sheet. See 37 CFR 1.76

#### METHOD OF PAYMENT OF FILING FEES FOR THIS PROVISIONAL APPLICATION FOR PATENT

Applicant claims small entity status. See 37 CFR 1.27.

FILING FEE AMOUNT (\$)

A check or money order is enclosed to cover the filing fees

\$80.00

The Commissioner is hereby authorized to charge filing

fees or credit any overpayment to Deposit Account Number: 06-1378

Payment by credit card. Form PTO-2038 is attached.

The invention was made by an agency of the United States Government or under a contract with an agency of the United States Government.

No.

Yes, the name of the U.S. Government agency and the Government contract number are: \_\_\_\_\_

Respectfully submitted,

SIGNATURE

TYPED OR PRINTED NAME Leonard Holtz  
 (212) 319-4900

Date 01/06/03

REGISTRATION NO.  
 (if appropriate)  
 Docket Number:

22,974  
 02762/LH

#### USE ONLY FOR FILING A PROVISIONAL APPLICATION FOR PATENT

This collection of information is required by 37 CFR 1.51. The information is used by the public to file (and by the PTO to process) a provisional application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 hours to complete, including gathering, preparing, and submitting the complete provisional application to the PTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Box Provisional Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

ALL PURPOSE POWDER DISPENSER

This invention relates to a powder dispenser, and more particularly to a replaceable and/or a disposable cartridge module that functions in several areas, namely powder dispensing (baby and adult), deodorizing of used diapers & other disposables, (including garbage), disinfectant of potentially harmful and ordinary (viral & bacterial contaminants) and finally, for use as an all-purpose soap cleanser dispenser.

The invention is a self-contained capsule that administers a pre-determined amount of powder that is released by the combining of gravity and impact. The amount of powder is that is dispensed regulated by either fixed or variable openings in the cartridge module, and is released by the motion of hand tapping or the result of impact of one integral member against another, such as a lid closing on a container, i.e., a garbage pail with a hinged lid, or a closeable cover of a baby diaper and waste disposable pail.

One purpose of the present invention is to provide added protection against infestation and bacterial (common and hazardous) breeding in anything from home garbage cans to institutional applications such as that of garbage receptacles in doctors, surgeons, dentists, hospital, nursing homes and home bed care, to name just a few of the possible applications.

The cartridge module can be a small container (capsule) which can have a flange to allow it to slide-lock into a molded receptacle, or it may simply have a peel-off pressure sensitive adhesive thereon so as to be placed (stuck) in existing pails,  
5 etc.

As a powder dispenser (soap, baby powder, disinfectant, etc.) for use in non-pail applications, the module can be placed into or onto a wall mounted receptacle (holder) that will allow one to dispense a pre-allotted portion of powder (or soap, etc.)  
10 into their hand by either (1) tapping it with their hand, (2) incorporating it into a mechanical device that creates an impact that simulates the tap, or (3) a timed motion sensor that creates a minute impact for dispensing the powder after detecting motion (i.e., the presence of a hand). The last-mentioned device will  
15 allow hands-free operation so as to further minimize the possibilities of migratory infestation of bacteria in both public and private environments and applications. Such environments, to name a few, are hotels, hospitals, home use, airport bathrooms, airplanes, office bathrooms, and medical offices.

20 The canister or cartridge module can either be filled with the desired powder and sealed in a manufacturing plant and sold through many venues. This offers a huge replacement market for both the home, as well as the institutional market place. It is also possible that a dispenser can be given free with a six-pack  
25 of cartridge modules, or individual modules can also be sold separately for subsequent sales. Further, different size

dispensers can be developed to cater to different markets. For example, a baby powder and diaper pail application might consist of a two-three ounce self contained module cartridge, which might last a month before replacing, while, institutional modules might 5 be twice, or three times that size due to increased traffic or use.

It is also possible to allow re-loading of powders into a special re-usable module. However, this is less practical financially, unless one can provide replacement boxed powders 10 that one can funnel into a re-useable canister module.

A highly concentrated deodorizing module might not require the release of a powder, but may simply have an open aperture which is opened enough so as to release the deodorizing material to neutralize the odor. A release of powder appears to have a 15 decided advantage, especially for arresting or neutralizing odorous smells, and minimizing or arresting bacterial and viral agents.

It is also possible that a timed-release device can be provided to release a measured amount of deodorant or 20 disinfectant at timed intervals in certain applications where offensive odors or hazardous contaminants build up.

#### BRIEF DESCRIPTION OF THE DRAWINGS

Fig. 1 is a view of a trash can (garbage pail) with a hinged lid and with a powder dispenser of the present invention mounted 25 on the inner surface of the hinged lid;

Fig. 2 is an enlarged view of the powder dispenser mounted on the inner surface of a hinged lid;

Fig. 3 is a view of a diaper pail with a powder dispenser of the present invention mounted on the inner surface of the hinged lid thereof;

Fig. 4 is a perspective view of a powder dispenser of the present invention, taken from the bottom;

Fig. 5 is a side view of the powder dispenser of the present invention;

Fig. 6 is a perspective view of the powder dispenser of Figs. 4 and 5, taken from the top;

Fig. 7 is another perspective view of the powder dispenser of Figs. 4-6, but with plugs shown closing the bottom openings thereof;

Fig. 8 is a top view of a diaper disposer container with a clear upper lid, showing a powder dispenser of the present invention mounted on the inner surface of the clear upper lid;

Fig. 9 shows the diaper pail of Fig. 8 with the cover in the open position, showing the powder dispenser of the present invention mounted on said inner surface such that it is removable for easy replacement;

Fig. 10 is an enlarged view of the mounting structure shown in Fig. 9;

Fig. 11 shows a user tapping on the upper surface of the diaper pail to dispense powder from the powder dispenser;

Fig. 12 shows the powder dispenser in the process of being removed from the diaper pail;

Fig. 13 shows a different type of deodorizer mounted on the inside of the waste receiving portion of the diaper pail; and

5 Fig. 14 shows the diaper pail in the process of being closed such that the "tapping" when the cover securely closes is sufficient to release powder from the powder dispenser.

#### DETAILED DESCRIPTION

Figs. 1-3 show the powder dispenser cartridge module of the 10 present invention mounted in the inner surface of a trash or diaper disposal can. Referring to Figs. 1 and 2, a powder dispenser 10 of the present invention is mounted on the inner surface of the pivotable lid 2 of a waste can 1. In this embodiment, the powder dispenser 10 may be adhered to the inner surface of the cover 2, for example using an adhesive such as double-sided adhesive tape. Preferably, the adhesive is removable so that the powder dispenser can be removed when the powder therein is exhausted, for replacement by a new powder dispenser. Such a new powder dispenser may come with double-sided adhesive tape on the upper surface thereof for easy 15 adherence to the inner surface of the cover 2 of the trash can.

20 Fig. 3 shows a similar arrangement where a powder dispenser 10 is mounted to the inner surface of the pivotable cover 3 of a diaper disposal pail 4 or the like. Similarly, adhesive can be

used to mount the powder dispenser 10 to inner surface of the cover 3.

Figs. 4-7 show the powder dispenser in greater detail. The spiral pattern 11 on the powder dispenser is shown merely by way 5 of example for reinforcing the structure. The spiral pattern 11 may or may not be included, as desired.

The powder dispenser includes a bowl-shaped portion 12 and an upper cover portion 14 having an extending lip 16. The upper cover member 14 may include an opening 18 which is used to fill 10 the powder dispenser with the appropriate powder. The opening 18 may then be closed, for example by means of an adhesive tape-like member 20 (shown in broken lines) which is adhered to the outer surface of the cover 14 to close off the opening 18. The adhesive covering 20 can be removable to refill the powder 15 dispenser, as desired.

The bottom portion of the bowl 12 has openings 22, 24, 26 therein for dispensing the powder contained in the powder dispenser. Alternatively, only one or two such openings could be provided, depending upon the nature of the powder being 20 dispensed, and depending upon the amount of powder which is to be dispensed at each operation of the device. For shipping purposes, the openings 22, 24, 26 are closed by plug members 23, 25, 27, as shown in Fig. 7. For use, one or more of the plug members 23, 25, 27 can be pulled out by the user to dispense 25 powder from the powder dispenser.

Fig. 7 shows the powder dispenser containing powder up to a level "L". This level "L" can be changed, depending upon how much powder is desired to be put into the dispenser and/or the nature of the powder and/or other considerations.

5 In use, the powder dispenser is adhered or otherwise secured to the inner surface of a lid of a trash can, diaper pail or other waste disposal container. The waste pail or the like is opened by opening the upper cover in the normal manner for disposal of waste products. Then, the cover is closed either 10 manually, automatically, or by releasing a foot pedal (see Fig. 1). When the cover 3, 2 impacts the lower portion of the container during closing, this impact is sufficient to dispense a small amount of powder from the powder dispenser. If the powder is a deodorizer, the deodorizer will act to deodorize the waste 15 materials in the pail. If the powder is a disinfectant or material to kill viral and/or bacterial contaminants, a sufficient amount is dispensed by the impact to produce the desired result. The amount of powder dispensed at each operation can be varied by varying the openings in the lower surface of the 20 cartridge module 10; or by varying the amount of impact. If sufficient powder is not dispensed when the cover of the pail impacts the body of the pail, additional powder can be dispensed merely by the user tapping on the top of the pail. Such hand tapping or tapping with an implement is sufficient to release 25 additional powder to produce the desired effect.

Figs. 8-10 show another embodiment of the invention wherein the powder dispenser module 10 is removably mounted to the inside surface of a diaper pail. While a diaper pail is shown, any other type of waste disposal pail, such as a garbage pail, 5 medical or hazardous waste pail, etc. could be used. The lip 16 of the powder dispenser unit is slid under retaining members 30, 32, 34 which have step-like inner surfaces under which lip 16 of the powder dispenser may slide. Sufficient friction can be provided by proper dimensioning of the members 30, 32, 34 to 10 retain the powder dispenser in position. Fig. 11 shows the dispenser from the outside of the clear upper surface of the pivotable top, and clearly shows the mounting of the dispenser by sliding the lip 16 thereof under the retaining members 30, 32, 34. Fig. 11A shows an end view of the retaining member 30, as 15 viewed in the direction of arrow A in Fig. 11, to clearly show the stepped configuration thereof to provide a receiving area for the lip 16 of the powder dispenser. The lip 16 of the powder dispenser is received in area 31 as shown in Fig. 11A.

Fig. 12 shows a user removing the powder dispenser 10 from 20 the pail, after all of the powder therein is exhausted.

Fig. 13 shows a deodorizing member 40 which is removably mounted inside the waste receiving receptacle pr container portion 50 of the trash can, and which is slidably received in a receiving member 42 mounted to the side of the container 50. The 25 receiving member 42 has an L-shaped receptacle opening, similar

to that shown in Fig. 11, for slidably receiving the lip 41 of the deodorizer member 40 therein.

Fig. 14 shows the diaper pail of Figs. 8-12 in the process of being closed by a user. The impact when the cover of the pail 5 38 impacts the lower portion 39 of the pail is sufficient to dispense a small amount of powder from the powder dispenser 10 into the lower portion of the pail where the waste materials are housed. As mentioned hereinabove, if it is desired to dispense additional powder, the user can merely tap on the top portion of 10 the pail, for example as shown in Fig. 11.

The powder dispenser of the present invention can also be used to dispense powder from a wall-mounted device, such as shown in Fig. 13A. Fig. 13A shows such a wall-mounted device inverted with the powder dispenser facing up. In use, the powder 15 dispenser 20 would be facing down. The wall-mounted device has an operating member 60 which, when pressed by a user, causes an impact to be produced on the upper surface of the dispenser 10, thereby causing powder to be dispensed from the opening at the bottom of dispenser 10. Alternatively, a motion sensor can be 20 used to detect motion, for example of a hand, so that impact will be automatically produced to dispense powder.

In a preferred embodiment, the powder dispenser of the present invention is blow-molded or injection-molded from a plastic material, preferably a transparent plastic material, so 25 that the contents thereof can be easily seen. Any inert material, such as FDA approved plastic materials, could be used.

For example, polyurethane plastic material or other plastic materials which are capable of being blow-molded or injection-molded, can be used. Also, materials from which, for example, plastic soda and other soft drink bottle are made, could be used.

5       The openings 22, 24, 26 (see Fig. 4) can be any desired size, depending upon the characteristics of the powder material being dispensed. In an example wherein baby powder (baby talcum powder) is used for demonstration purposes, the openings 22, 24, 26 were about 1/32 to 1/16 of an inch. The exact opening size of  
10      the dispensing openings 22, 24, 26 will vary, depending upon the nature and characteristics of the powder material being dispensed.

While the invention has been described above with respect to specific apparatus and specific implementations, it should be  
15      clear that various modifications and alterations can be made, and various features of one embodiment can be included in other embodiments, within the scope of the present invention.

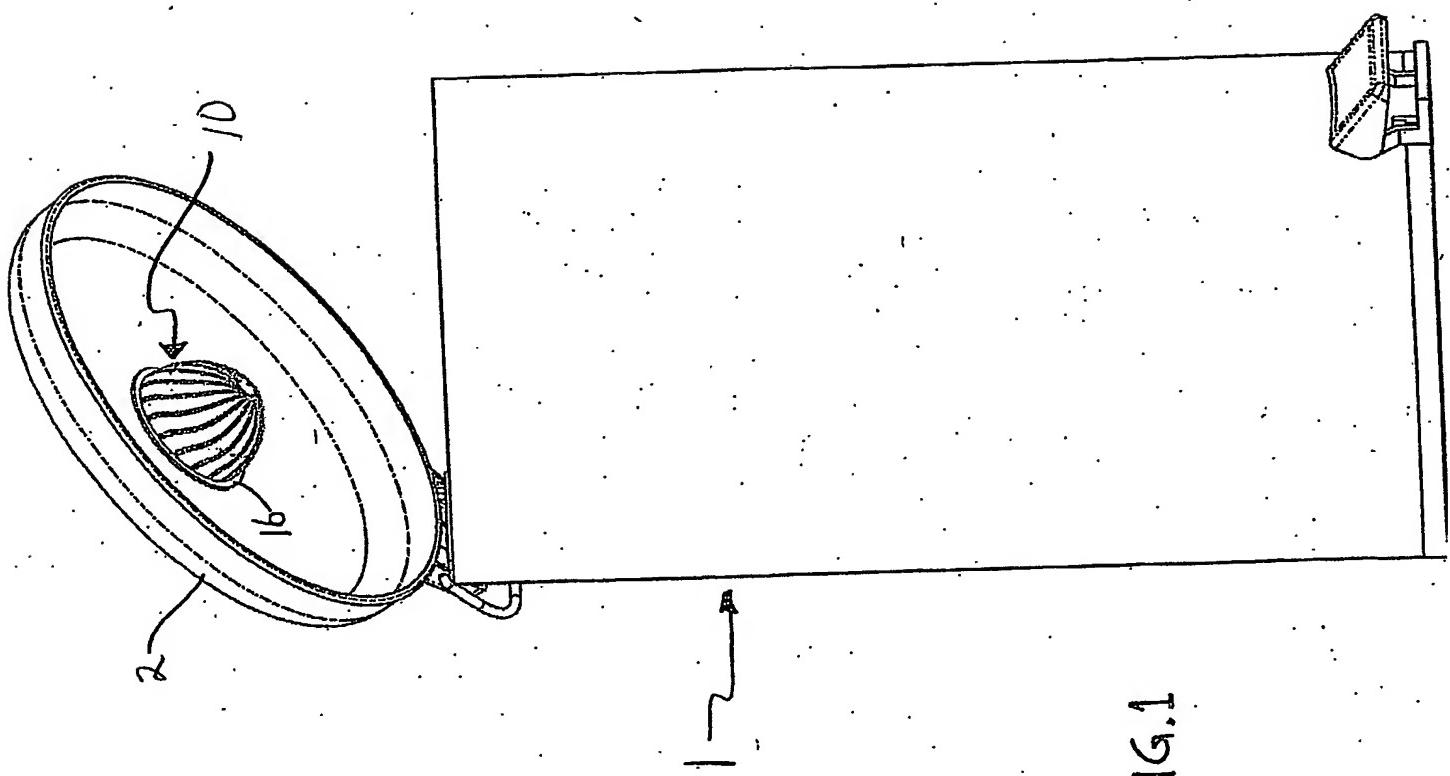


FIG.1

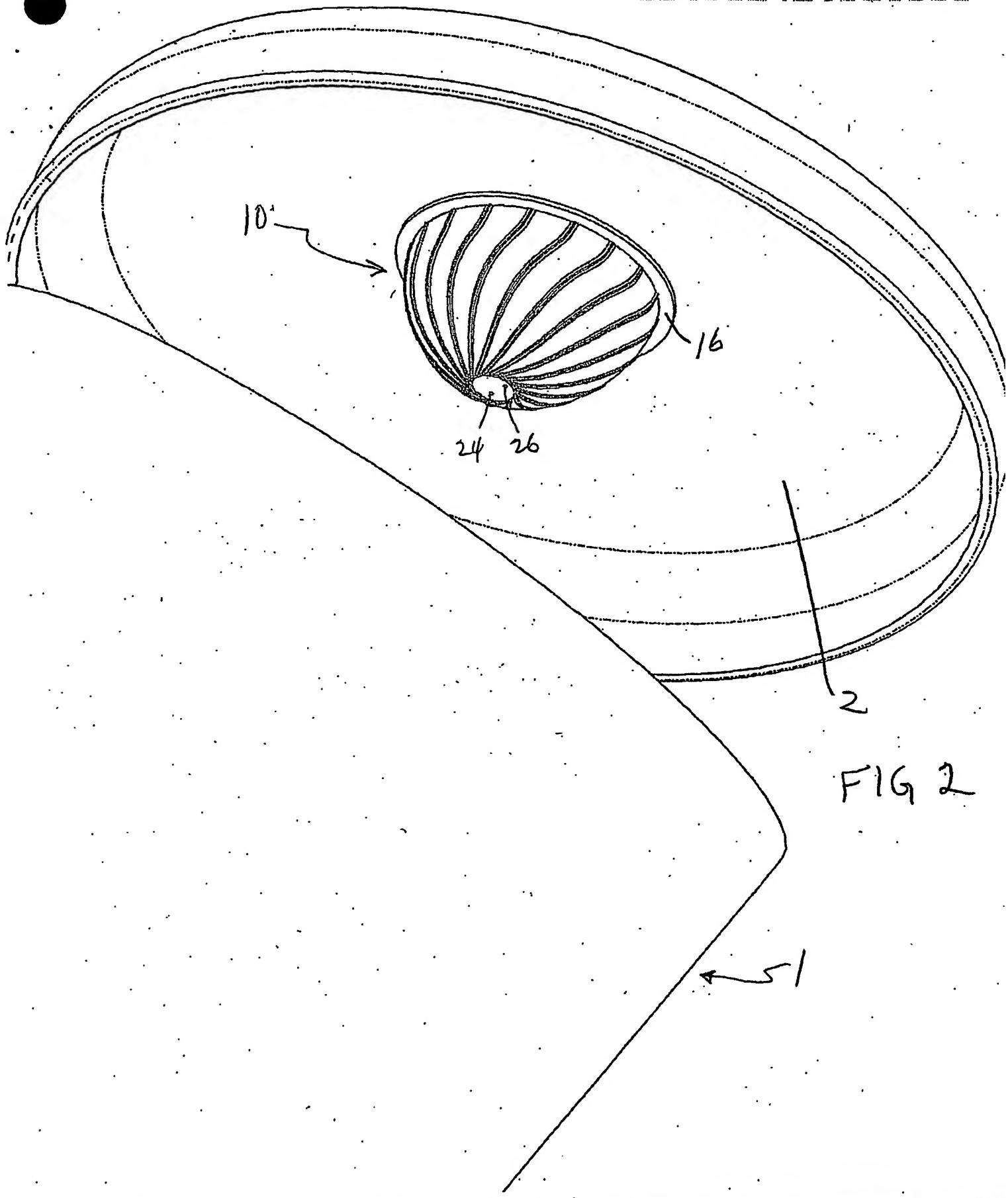
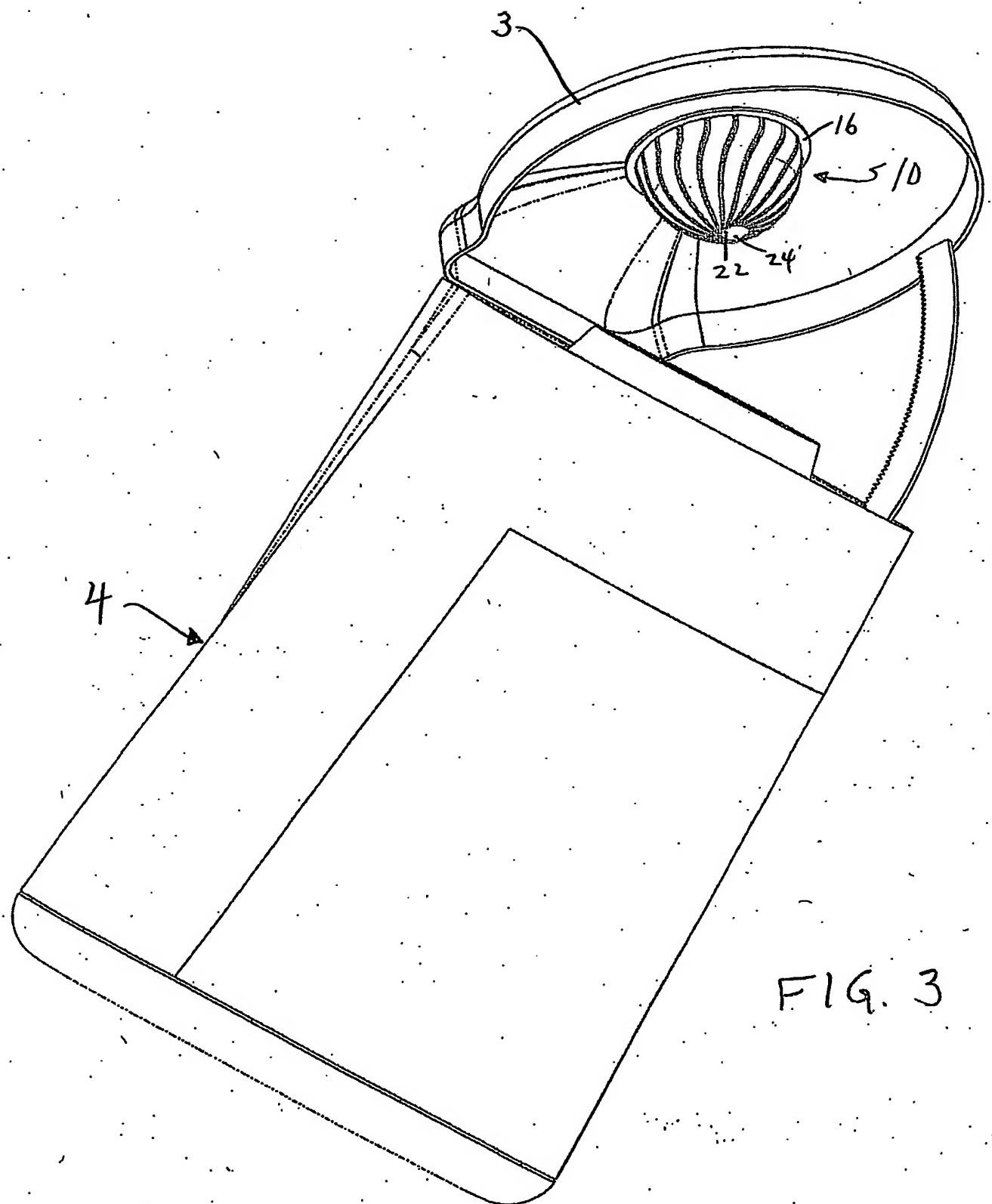


FIG 2



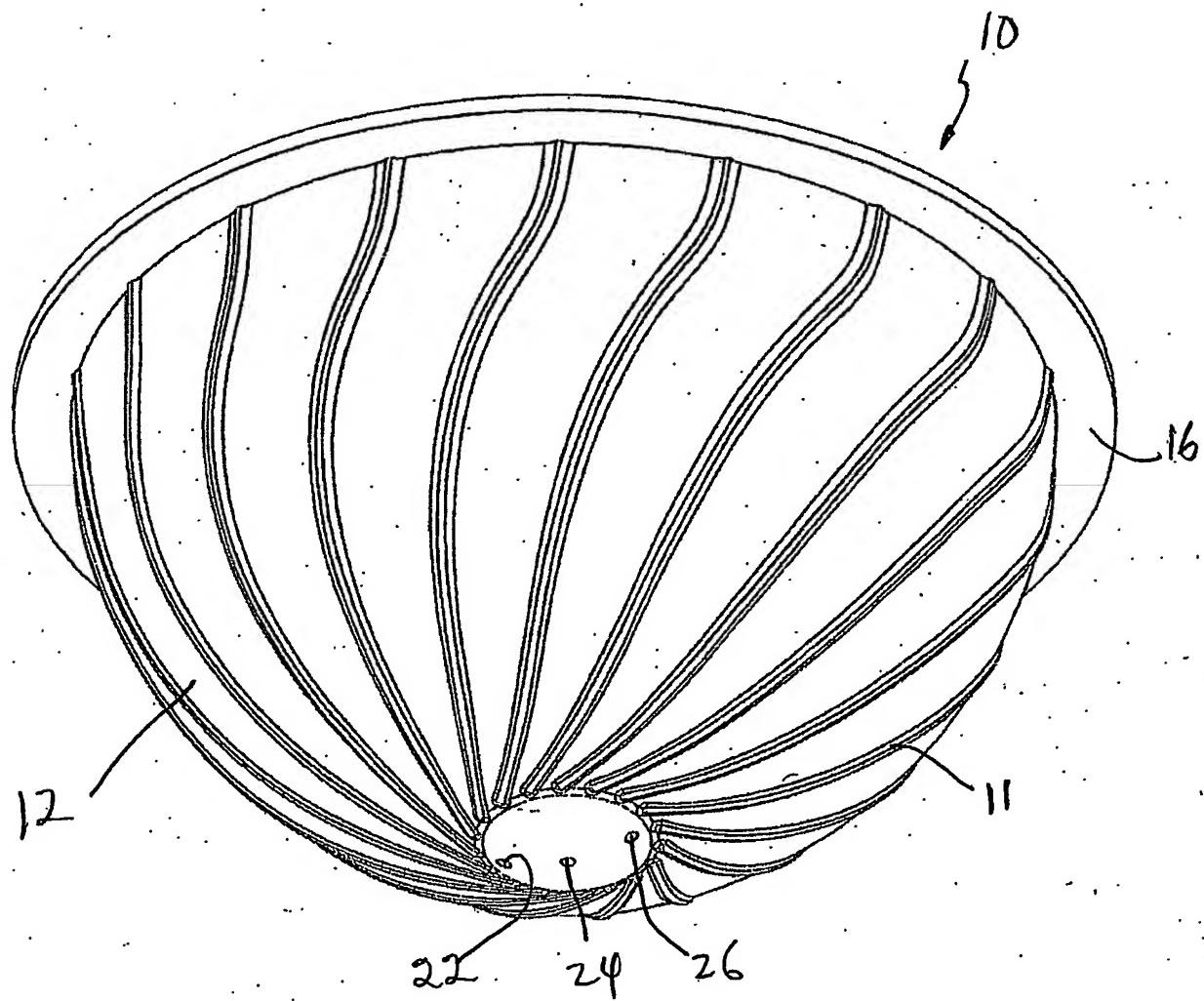


FIG. 4

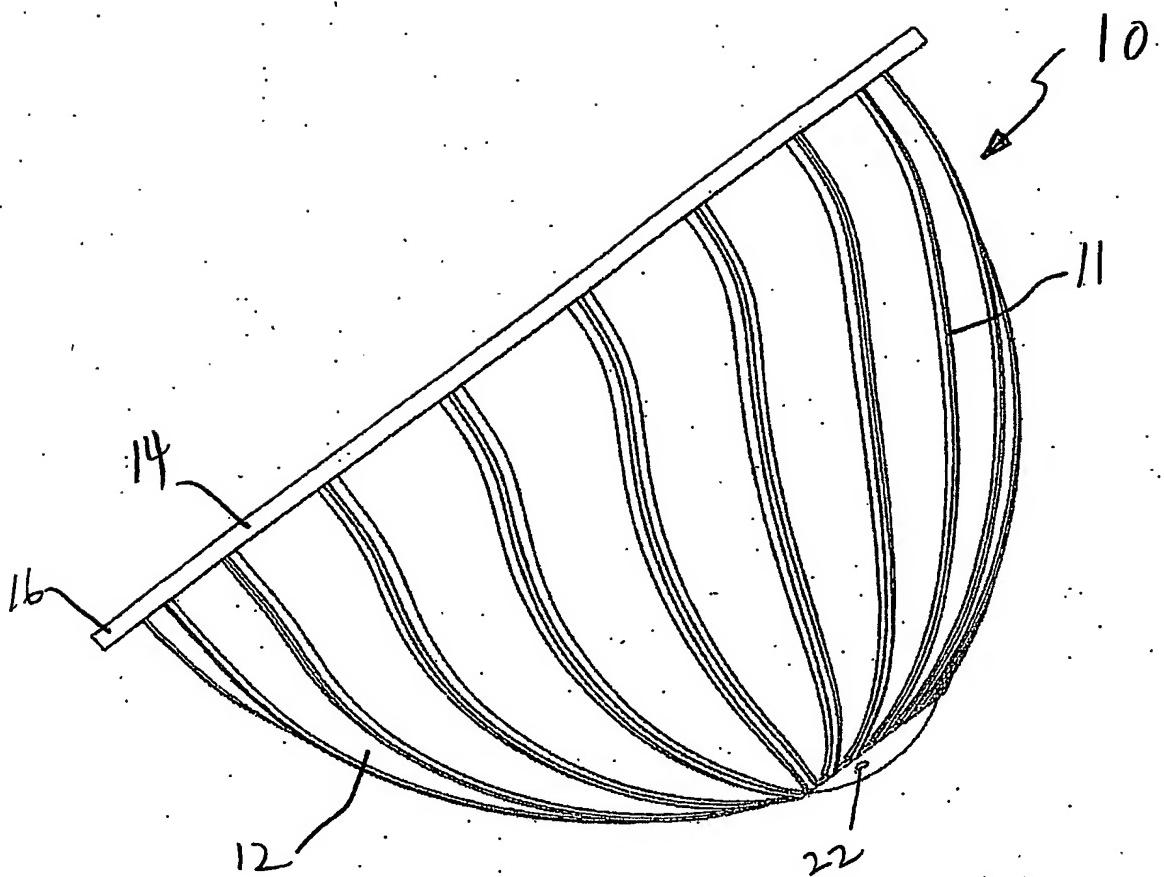


FIG. 5

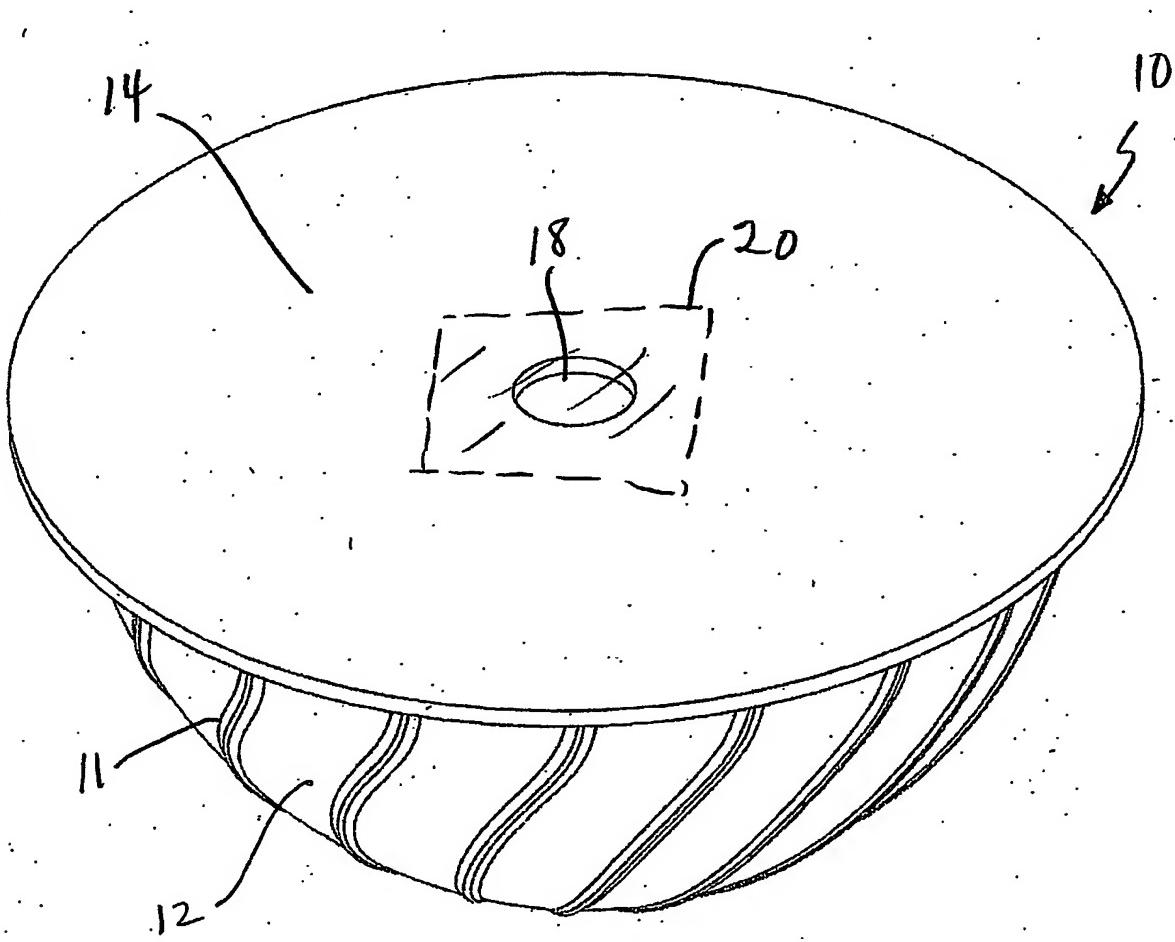


FIG. 6

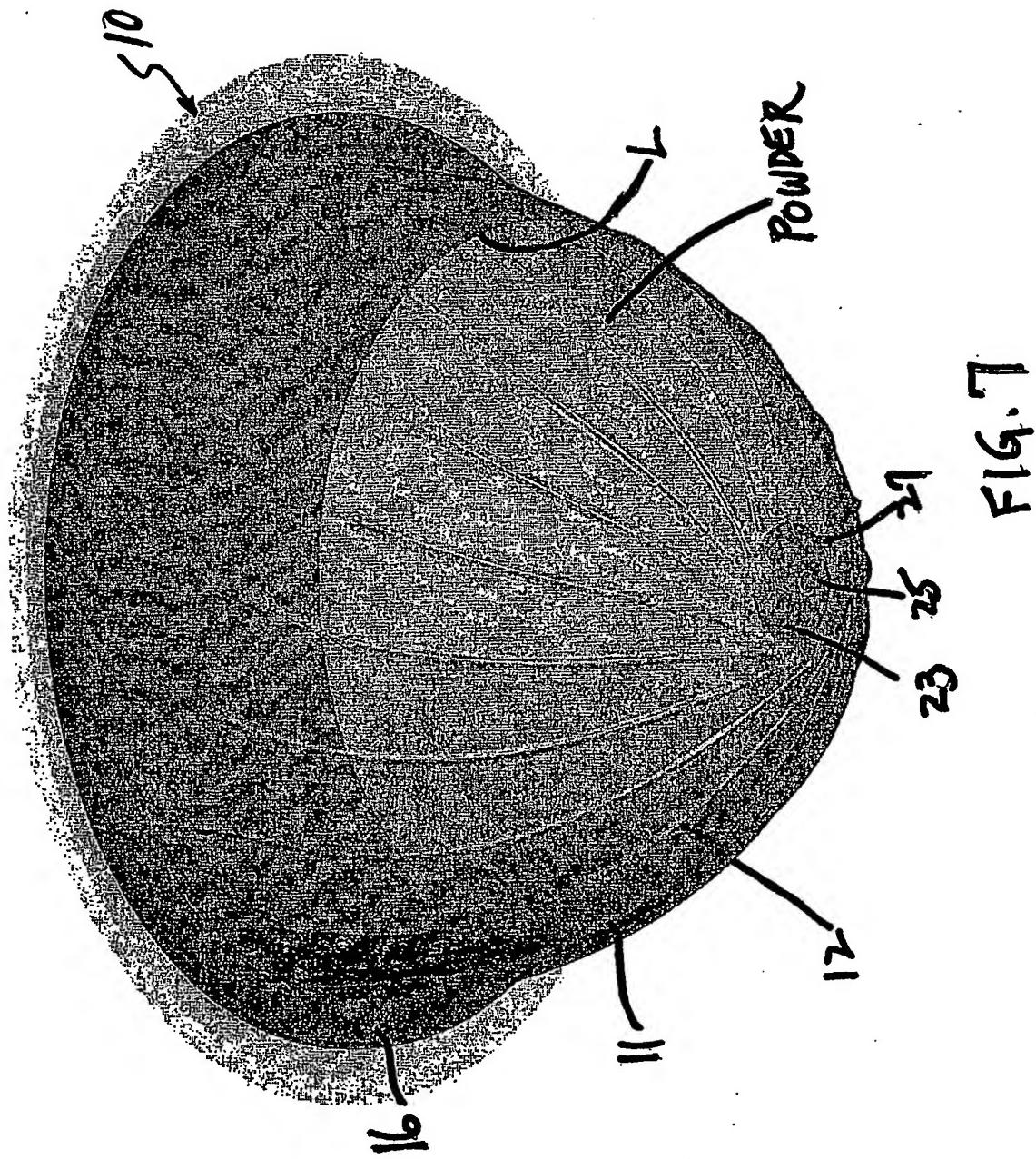
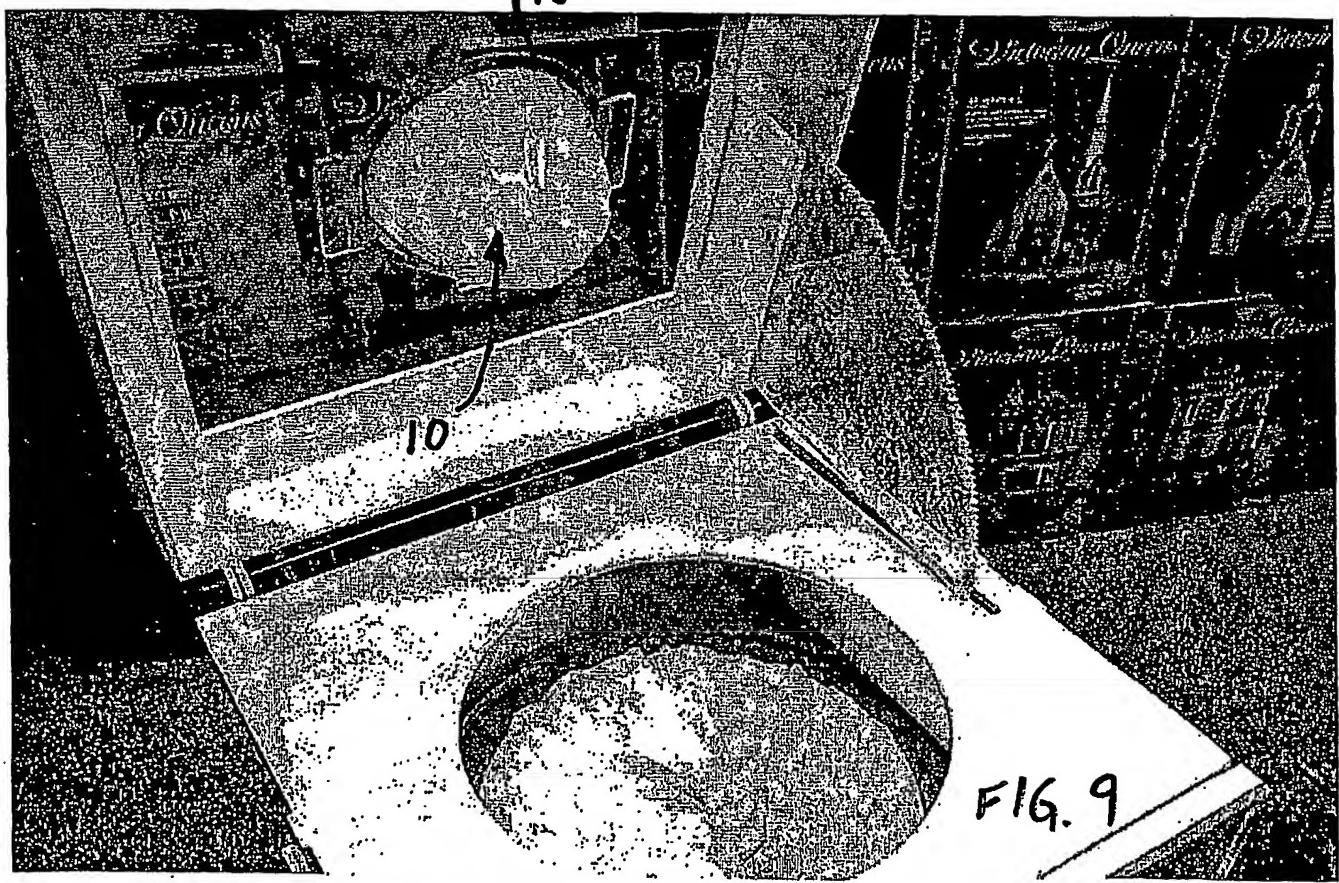
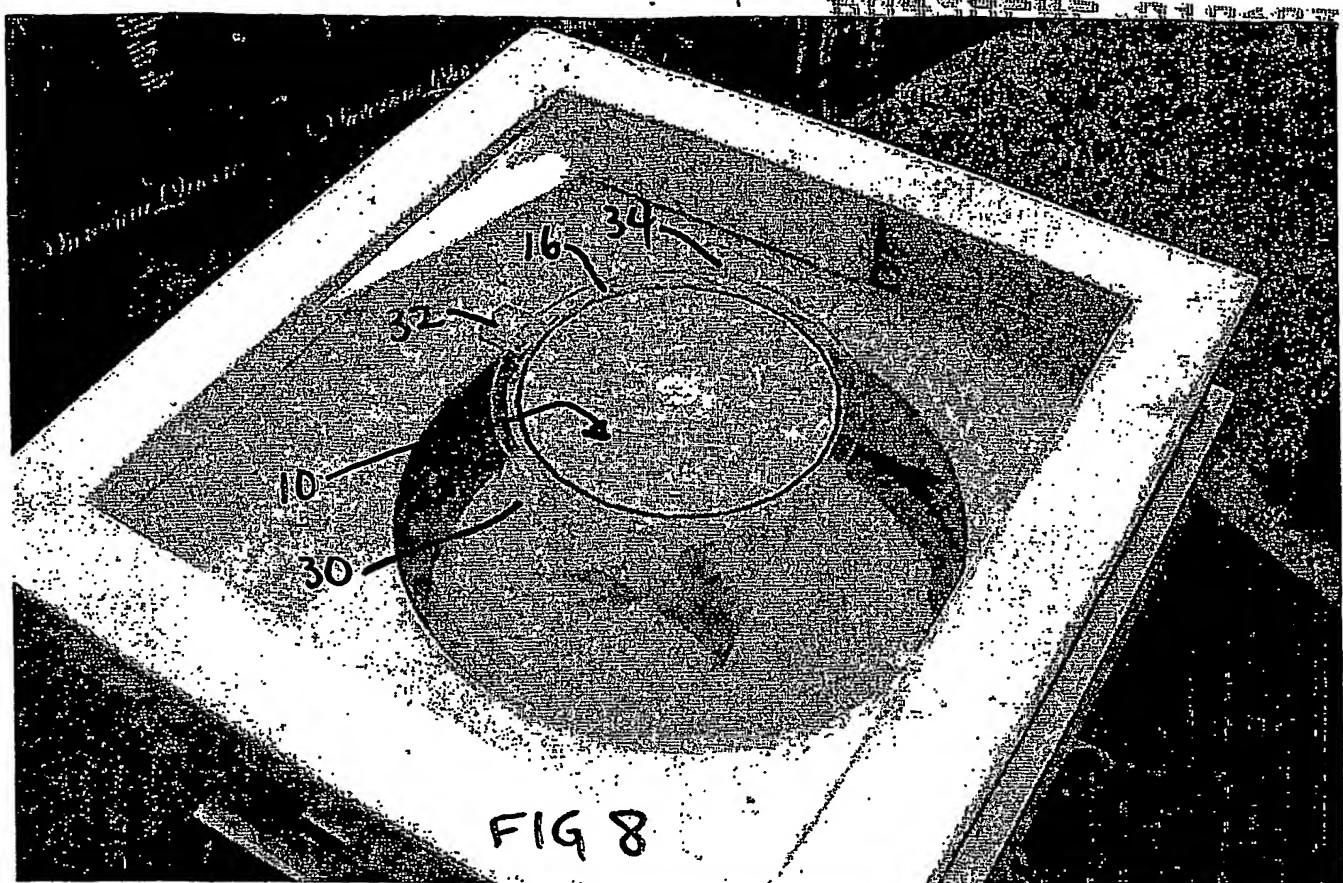
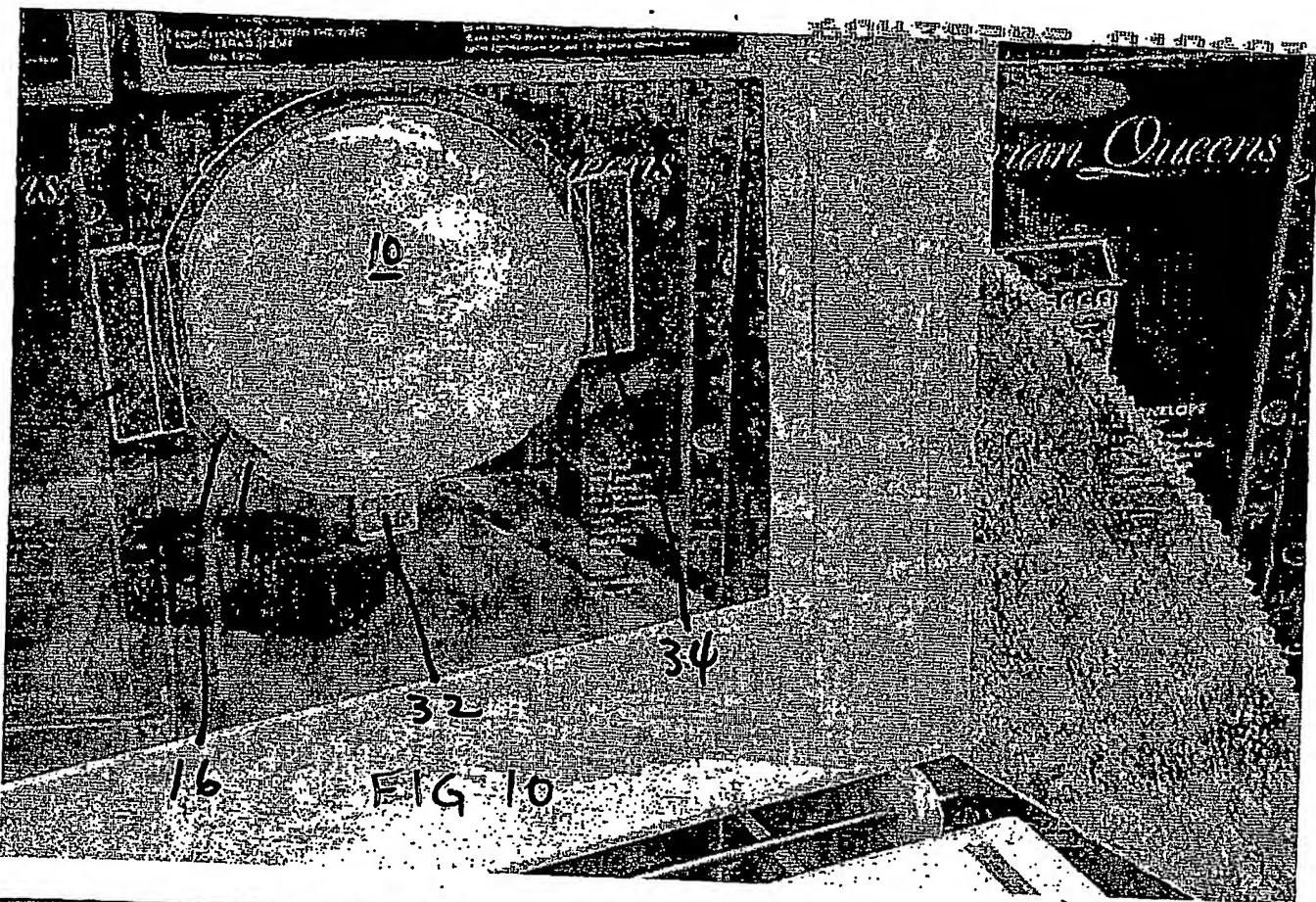


FIG. 7





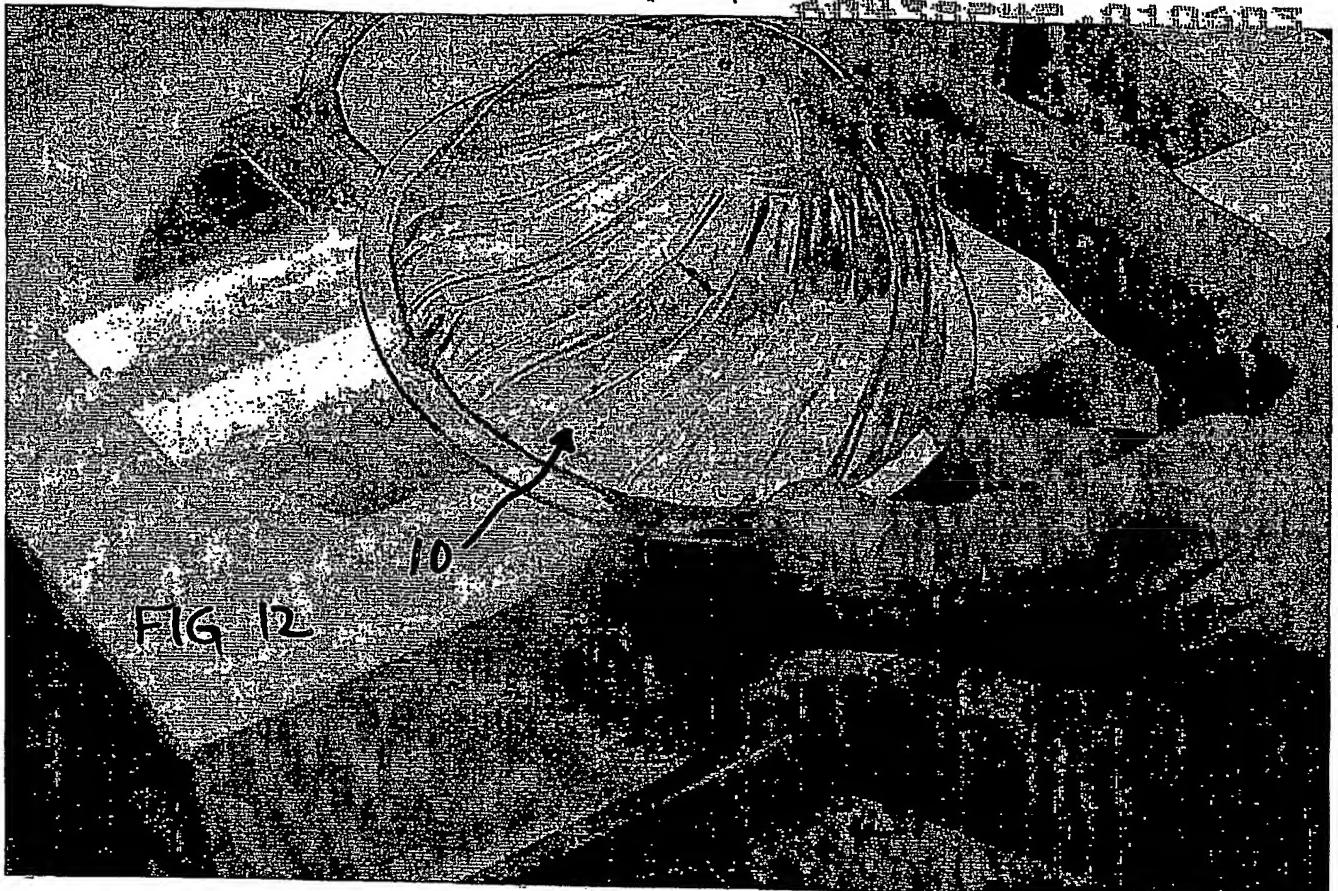


FIG. 12

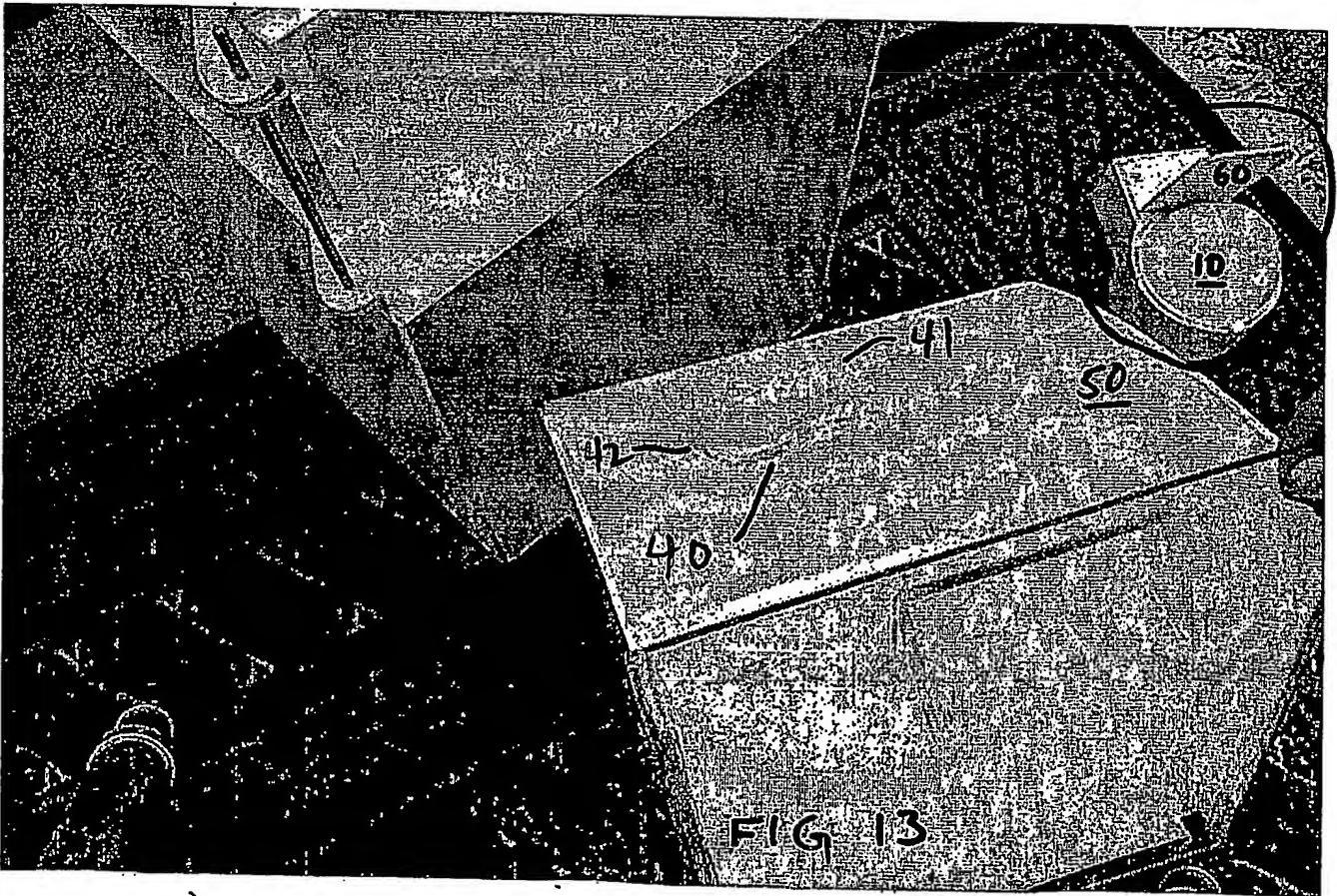


FIG. 13

F1  
13

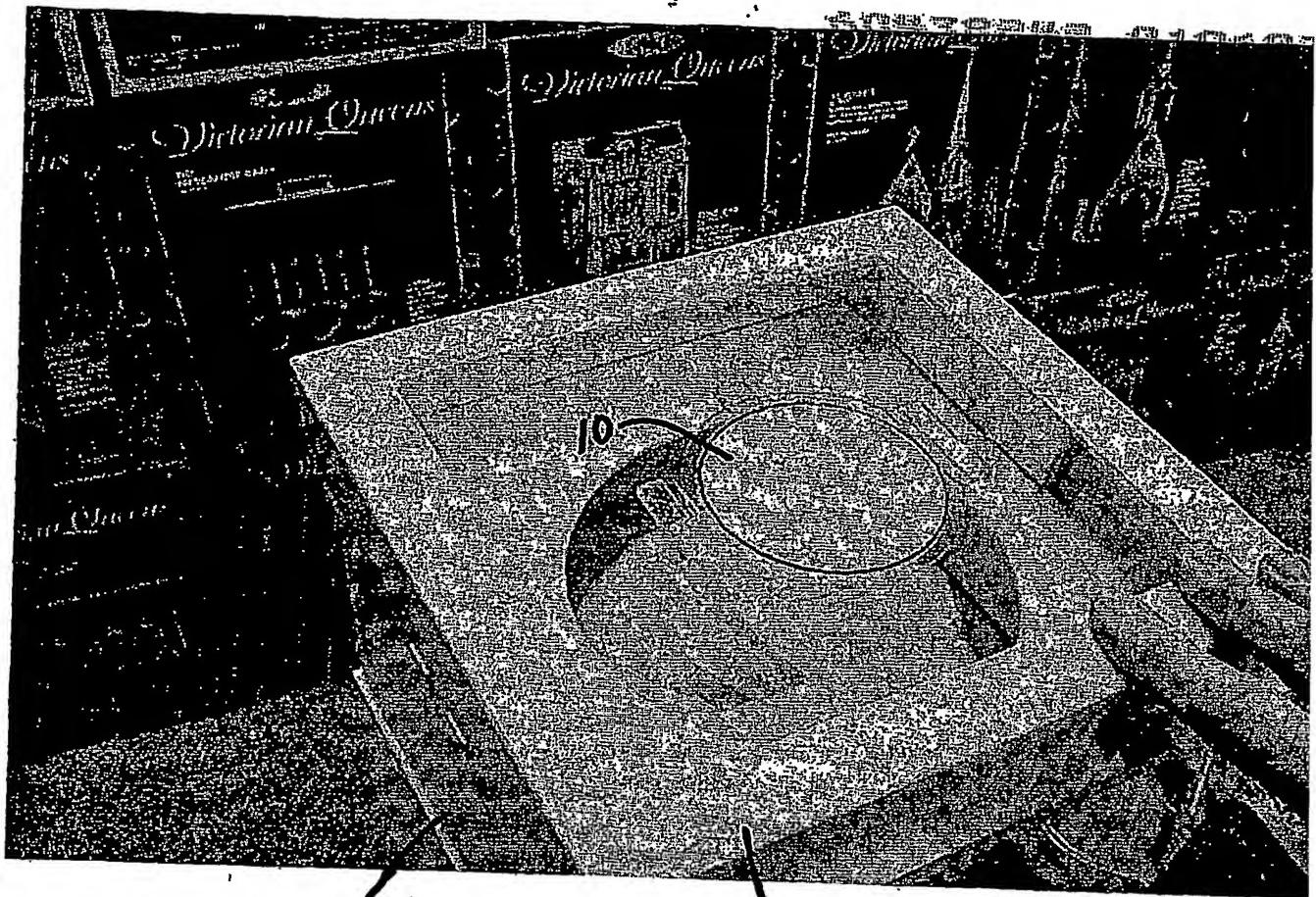


FIG 14

39

38

Please type a plus sign (+) inside this box → [+]

Approved for use through 10/31/2002. OMB 0651-0035

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**CHANGE OF  
CORRESPONDENCE ADDRESS  
*Application***

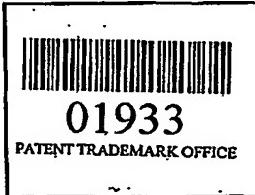
**Address to:**  
**Commissioner for Patents**  
**Washington, D.C. 20231**

Application Number	To be assigned
Filing Date	Concurrently herewith
First Named Inventor	David M. STRAVITZ
Group Art Unit	
Examiner Name	
Attorney Docket Number	02762/LH

Please change the Correspondence Address for the above-identified application  
to:

Customer Number [ 01933 ] →  
Type Customer Number here

OR



<input checked="" type="checkbox"/> Firm or Individual Name	FRISHAUF, HOLTZ, GOODMAN & CHICK, P.C.				
Address	767 Third Avenue - 25th Floor				
Address					
City	New York	State	NY	ZIP	10017-2023
Country	U.S.A.				
Telephone	(212) 319-4900			Fax	(212) 319-5101

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:

- Applicant/Inventor.  
 Assignee of record of the entire interest. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).  
 Attorney or Agent of record.  
 Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number \_\_\_\_\_.

Typed or Printed

Name LEONARD HOLTZ, Registration No. 22,974

Signature

Date

January 6, 2003

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. See below.

Total of \_\_\_\_\_ forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

**This Page is Inserted by IFW Indexing and Scanning  
Operations and is not part of the Official Record**

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- BLACK BORDERS**
- IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- FADED TEXT OR DRAWING**
- BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- SKEWED/SLANTED IMAGES**
- COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- GRAY SCALE DOCUMENTS**
- LINES OR MARKS ON ORIGINAL DOCUMENT**
- REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- OTHER:** \_\_\_\_\_

**IMAGES ARE BEST AVAILABLE COPY.**

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.